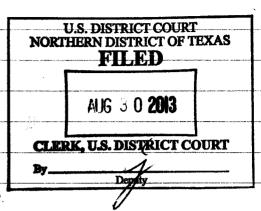
ORIGINAL

8/25/13

Clerk of the Court

Jesse McGraw
#38690-177
FCC Complex (Low)
P.O. Box 26020
Beaumont, TX 77720
Case No. 3:09-CR-210-B



Please forward the enclosed "Exhibit 1" [and file under my Case No.] to the Honorable District Judge Jane Boyle.

Also, under Jesse McGraw v. United States of America in a Civil action that I withdrew, the Magistrate presiding ordered for the Clerk to refund \$41.00 which the PLRA had withdrawn from me. Please see if you can process that order. I feel as if it has been forgotten about.

Thanks alot,

Jessen Mc Lhan

Stephanie spending three hours a week in a classroom

Also, quite a common sentiment among students, not to mention nine-to-five employees, government workers, executives, intelligence analysts, etc. Anywhere that you can find drudgery, a copy of our magazine will definitely brighten the mood and anger the people in charge.

Dear 2600.

A

claims alone. Otherwise, I would not be forced to in the case of Jesse McGraw (Ghost Exodus), let it my own actions, or the actions of McGraw wherein other than personal opinion and frivolous claims to back them up. In particular, the prosecution and the court's sentencing of McGraw was heavily influthe acceptance of the assertions that McGraw was somehow orchestrating or conducting some sort of campaign against Wesley McGrew. The judge increased his sentence by several years based on these To whoever shall have reviewed the documents be known that a portion of the statements or claims made by the prosecutor or the FBI in this case are patently false allegations in regards to myself, or it relates to myself, or are based on pure conjecture or unsubstantiated evidence with no direct proof enced, according to the judge's own admittance, by release this information.

response to my own interactions with McGrew (he these interactions had little or nothing to do with tions I reviewed from McGraw during this period was to "leave McGrew alone because it could hurt my case." Furthermore, I put up a website (www. wesleymcgrew.com) on my own accord, as a direct went out of his way to communicate with me sometimes on a daily basis during this period). Many of Contrary to the court record, the only instruc-

and perhaps uncalled for. But hardly intimidating or threatening. The allegations that ETA (Electronik thing of the sort is completely preposterous and no evidence has ever been entered to substantiate these McGrew hosted content I did not like on his website. I hosted some non-pornographic images ing circumstances. Not exactly what I would call a Tribulation Army) as a group or its members were sending threatening emails or phone calls or anysite, and I hosted content he did not like on my crime. And I mailed him a dildo - sure, it's tasteless, - simple Photoshops of his face in rather unflatter-

parties, we as a group and individuals did not, do not, and will not condone it. We cannot, and will If any such behavior was conducted by third not, be held accountable for the actions of third parties in regards to this matter.

The First Amendment guarantees and protects my freedom of speech under the United States Constitution. It guarantees me the right to express whatever opinion I may have of somebody, whether it be

Spring 2012

on a website, printed paper, or orated

court record and accepted by a judge as factual and

admissible.

the

you value your rights as a consumer. I suspect the FBI made a phone call, or something along those My domain was unceremoniously stripped from nor were my inquiries into this matter responded to by them. I was not even given a refund. I would recommend anyone considering purchasing a domain from GoDaddy to consider alternative registrars if me by GoDaddy, with no warning, no explanation, lines, and had it dropped.

be interested

Contrary to what the FBI and the courts have accepted as fact, I was not instructed by Jesse McGraw to put that website up, nor was I ever instructed to harass anyone. And if exercising my to somebody, I would suggest that they learn how to cope with social issues and perhaps learn how to own protected freedoms is somehow "intimidating" not be so easily intimidated.

Justice has been robbed from this case by a prosecutor's personal agenda, poor judgment, and outright lies to achieve a legal "slam dunk." Sentencing should be handed down within reason. The judge's own remarks admit that, in essence, she Graw due to the perceived actions of others, adding because I choose to exercise my constitutionally protected right to expression, particularly when that based on facts and prudence. In this case, the judge sage" to others in a manner that is indicating a personal bias against other known or unknown parties. "enhanced" the sentence that was handed to Mcseveral years onto his time that he now has to serve. do not believe somebody else should be punished used the defendant as a soap box to "send a mesperson insisted that I refrain from doing so.

any and all applicable state and federal laws. At the should certainly be accepted based on these facts has occurred. I believe that prosecutor C.S. Heath into a federal trial. The judge in this case is also ties involved in this mockery of justice should be ashamed of themselves. I believe that all involved parties should be held accountable for what they very least, if none of the above is pursued, an appeal In other words, a blatant and gross injustice should be investigated fully in this matter and removed of license to practice law, as well as prosecuted for perjury and entering false evidence equally complacent or incompetent for neglecting to check these facts that I call into question. All parhave done here and penalized accordingly under and, I certainly hope, a retrial arranged.

to see false testimony and false evidence given, as can citizen, he deserves a fair trial and sentence that is proportionate to the crimes that he is being in this case. After reviewing the known facts, the as well as the facts I know to be true - it is, to say the least, an appalling and offensive mockery of justice well as outright lies and conjecture entered into the charged with, neither of which was the outcome Jesse McGraw's conduct was, in my opinion, undoubtedly a crime. But, like every other Americourt's documents, and the facts I know to be false

vidual (McGraw) working as a security guard in a cially when he posted a YouTube video that showed ware caused every computer it was installed on to self-destruct. Was this the intent? Was the hospital medical office building installed some botnets on overkill, to put it mildly. Naturally, the media and other group. All very stupid, but not the same thing various computers there. Not cool, not smart, espehim supposedly doing this. But more than nine years in prison for this kind of a thing seems like that a hospital was at risk and that people could die. That seems a bit farfetched, even if this softsupposed to be the target of the botnet attack or the source of one? Based on what we've seen, it was the more susceptible to crashes than installing a botnet. t could also be said that leaving machines running wander by and gain access without even entering a password doesn't indicate that the machines were then there should be some serious head rolling. It pital of the traditional sort but an outpatient clinic specializing in sports medicine and orthopaedics. So there are a number of facts that can seem very latter as one group of people was out to attack anas taking down a hospital. It could be said that installing Windows on these machines made them far of a particularly sensitive nature. And if they were, prosecution made it sound a lot more interesting in an office where cleaning staff and security could should also be pointed out that this wasn't a hosdifferent, depending upon how they're presented. What seems to have transpired is that an Now, I know that speaking out is likely going to put my own freedom in danger, as it will not serve

dollars through fraudulent investment schemes are simply by asking questions and bringing up these ence between using something that's not yours and Would the sentence have been any worse if it had Stealing a loaf of bread and stealing millions of We'll be accused of condoning this behavior points. Let's be clear. It's wrong to access computattempting to destroy something that's not yours. been the latter circumstance? It seems hard to believe. In short, the sentence should match the crime. ers for nefarious purposes. But there's a big differThis letter is something in the nature of a final appeal. It is a very long story, but suffice it to say my codefendant and I were framed for a serious federal offense. I asked my attorney to subpoena some credit card records which would have proven our innoceace, but he waited almost two years to get them and by then they had been removed from the credit card company's databases.

PageID 827

I am frequently made sport of by my more comouter savvy fellow inmates (who refer to things like VDTs and 3.5 inch floppy disks), but I have been ishes from the Internet. I am hoping some computer genius out there can legally access some obscure database in which these records may still be reained. I had both Visa and Mastercards for the time given to believe that no data ever completely van-

2600 Magazine

powers that be to allow me to maintain any level of credibility, which is why I am sending this letter to 2600, so that a more accurate and truthful record of these events, or at least my voice, can be recorded and heard by any and all parties who may I left the ETA in early 2009. I only came back to As of 2010, the ETA no longer exists as a group and the group after Ghost's arrest. To my knowledge, no other member of ETA during my tenure has had any Ghost Exodus, and any client who may or could involvement with the incidents at the Carrell Clinic. has been completely disbanded. However, the webtions. To my best knowledge, we as a group did not and do not condone this type of activity. Hospitals and medical facilities are not, and should never be tered with the ETA group over the years, I would like to issue an apology to the Carrell Clinic, the security firm who employed Jesse McGraw, aka have been affected by our former associate's acsite will remain. www.electroniktribulationarmy. com is a placeholder to remind us of Ghost Exodus. On behalf of my brothers who have been rosa valid target of any type for any person or persons, and it certainly is not for me or anyone that I oper-

that we find difficult to cope with. He could have You must understand that McGraw's actions ow over the lives of everyone involved, something potentially had life threatening implications for the have shamed us as a group and cast a negative shadstaff and patrons, and had consequences far beyond any hypothetical scenarios I can imagine. ate with.

We did not authorize, participate in, or condone his activities in any way. And we are sorry for this incident. I wish it could have been prevented and I know that by educating others about this type of incident, it can potentially be detected and prevented - not just from the perspective of law enforcement and security professionals, but perhaps by advisement directly from peers of such potential actors.

related crimes, but one is clearly worse than the other. We'll leave it as an exercise to the reader to

igure out which.

sible tactic. What better way to achieve your goal than to be able to portray the accused as a bunch of people with vendettas and scores to settle? They the question "what actually happened?" If this is a case of any significance, that should be the first the personalities at play or what rivalries existed could be a grievous misstep. For another, a poswill use anything that keeps the public from asking We certainly aren't seeing anything here that end, though, nobody is really going to care about between people or between groups. None of that actually matters and so much time is wasted on it that the real issues often are ignored. For one side, this Benjamin Fix Nichols hasn't happened a whole lot of times before. In the thing anyone talks about when referring to it.

-Page 45-

-Page 46.

puinds 2097

Case 3:09-cr-00210-B Document 114 Filed 08/30/13

U.S. DISTRICT COURT
PAGNORTHERNIPOSPRICT OF TEXAS
FILED

AUG 0 2013

CLERK, U.S. DISTRICT COURT

By

Deputy

TOPOLO IN THE PROPERTY OF THE

Table of Control of the Co

Clerk Of The Court 1100 Commerce ST Room 1452 Dallas, TX 75242 United States Marille Marill

NEO-TO-NAME.

Jesse McGraw #38690-177
FCC Complex (Low) P.O. Box 26020
Beaumont, TX

8-25-13